

MINUTES

GONZALES CITY COUNCIL
REGULAR MEETING
JULY 18, 2011
5:00P.M.

CALL TO ORDER

Mayor Orozco called the meeting to order at 5:10p.m.

PLEDGE OF ALLEGIANCE

The flag salute was recited by all present.

1. ROLL CALL-

CITY COUNCIL MEMBERS PRESENT:

Mayor Pro Tem Scott Funk, Liz Silva, Jack L. Reed, and Mayor Maria Orozco.

ABSENT: Jose G. Lopez.

STAFF PRESENT:

City Manager René L. Mendez, City Attorney Michael F. Rodriguez, Community Development Director Thomas Truskowski, Administrative Specialist/Deputy City Clerk Mary Villegas, Recreation Coordinator/Administrative Analyst Sara Papineau-Brandt, Building Official/Fire Marshal Michael Lechman, Public Safety Director Paul Miller, Public Works Director Carlos Lopez, and Emergency Services Director/Special Projects Analyst Harold Wolgamott.

PRESENTATIONS

2. Certificates of Recognition and Resolution No. 2011-66, A Resolution of the City Council of the City of Gonzales Recognizing the Gonzales Little League 11-12 Year Old All Star Team

Action: Councilmember Reed made a motion to approve Resolution No. 2011-66. Mayor Pro Tem Funk seconded the motion. Approved by vote; all ayes.

Mayor Orozco thanked all the kids, parents, and coaches for coming and said she was very honored and proud to have them here today.

Mayor Orozco read and presented the Resolution to the Coaches. Mayor Pro Tem Funk helped her present the Certificates of Recognition for each of the players.

3. Association of Monterey Bay Area Governments by Board President Stephanie Aguilar

Stephanie Aguilar, Board President, mentioned they will be giving a snapshot of what AMBAG does to understand how AMBAG has assisted the region, and they will be focusing specifically on Gonzales. She introduced Elizabeth Russell, Randy Deshazo, and Bhupendra Patel.

Elizabeth Russell discussed the things they had done with the City through the Energy Watch Program.

Bhupendra Patel, AMBAG Senior Transportation Modeler, explained what the AMBAG Metropolitan Planning Organization was and the areas it served. He also elaborated on the Metropolitan Transportation Plan, Metropolitan Transportation Improvement Program, and securing funding and implementing regionally significant collaborative projects.

Randy Deshazo discussed the Planning Programs which included Blueprint and Sustainable Communities, as well as Special Studies.

Ms. Russell responded to questions about the Energy Watch Program, equipment and implementation.

Mr. Deshazo responded to questions regarding freight studies, and charging stations.

City Manager Mendez added that staff had been working with an organization and had a charging station plan for the Shopping Center.

Ms. Aguilar thanked the Council for letting them give a glimpse of what they do and said they looked forward to working with them to meet their needs in the future.

BUSINESS FROM THE PUBLIC

4. There was none.

CONSENT AGENDA

5. Approve the June 27, 2011 Joint City Council and Redevelopment Agency Budget Minutes
6. Approve the July 5, 2011 Joint City Council and Redevelopment Agency Regular Minutes
7. Approve City Accounts Payable Warrants #27249 - 27307
8. Review Building Department Assessor Permit Report for June 2011
9. Departmental Activity Reports
 - a. Building/Fire Marshal Department
 - b. Planning Department
 - c. Public Safety Department
 - d. Public Works Department
 - e. Recreation Department
10. Consider Approval of Resolution No. 2011-64, A Resolution of the City Council of the City of Gonzales Approving an Application to the California State Department of Housing and Community Development for Funding Under the HOME Investment Partnerships Program

- and Authorizing the City Manager to Execute a Grant Agreement and any Amendments thereto with the State of California for the Purposes of this Grant
11. Consider Approval of Resolution No. 2011-65, A Resolution of the City Council of the City of Gonzales Authorizing the City Manager to Execute a First Amendment to the Communications Facility Site Lease with GTE Mobilenet, dba Verizon Wireless, to Allow the Addition of a 6' Diameter Microwave Dish to its Existing Wireless Facilities Located on the City's Water Tower at 700 Fifth Street
 12. Consider Approval of Resolution No. 2011-67, A Resolution of the City Council of the City of Gonzales Authorizing the City Manager to Execute an Agreement Between the City and Republic Intelligent Transportation Service, Inc. for the Fifth Street Lighted Crosswalk Project without Competitive Bidding Pursuant to the Provisions of the City of Gonzales In-Lieu Purchase Policy
 13. Consider Approval of Resolution No. 2011-68, A Resolution of the City Council of the City of Gonzales Canceling the City Council Meetings of August 1, 2011 and August 15, 2011
 14. Consider Approval of Resolution No. 2011-69, A Resolution of the City Council of the City of Gonzales Accepting Completion of the 2011 Wastewater Treatment Repairs

Action: Mayor Pro Tem Funk made a motion to approve the consent agenda items. Councilmember Reed seconded the motion. Approved by vote; all ayes.

REGULAR AGENDA

15. **Public Hearing** to Consider Approval of **a) Resolution No. 2011-56**, A Resolution of the City Council of the City of Gonzales Confirming Diagrams and Assessments and Levying Annual Assessments Pursuant to the Benefit Assessment Act of 1982 for Fiscal Year 2011-2012 - California Breeze Benefit Assessment District No's. 1, 2 and 3; and **b) Resolution No. 2011-57**, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessment and Levying Annual Assessments Pursuant to the Landscaping and Lighting Act of 1972 for Fiscal Year 2011-2012 - California Breeze Parks and Open Spaces Maintenance Assessment District

City Attorney Rodriquez presented the staff report for items 15 - 18. For the record, he asked the City Clerk if staff received any written notice or protest to any of the assessments on any of the resolutions before the Council tonight.

City Clerk Mendez responded no.

City Attorney Rodriquez asked if there was anybody in the audience this evening that was here for the purpose of speaking about any of the assessment districts before the Council this evening.

He indicated he did not see any one nodding heads so he assumed the answer to that was no.

Mayor Orozco opened the public hearing for items 15 – 18 at 5:44pm.

Public Hearing: No comments came forward.

Being there no comments from the public, Mayor Orozco closed the public hearing at 5:44pm.

City Manager Mendez informed that staff had been looking at options for a Tot Lot at the Cipriani Estates Subdivision, and once it gets developed further, staff will bring it before the Council for future direction.

Action: Councilmember Reed made a motion to approve Resolution No. 2011-56 and Resolution No. 2011-57. Councilmember Silva seconded the motion. Approved by vote; all ayes.

16. ***Public Hearing*** to Consider Approval of ***a) Resolution No. 2011-58***, A Resolution of the City Council of the City of Gonzales Confirming Diagrams and Assessments and Levying Annual Assessments Pursuant to the Benefit Assessment Act of 1982 for Fiscal Year 2011-2012 - Canyon Creek Benefit Assessment District Nos. 1, 2 and 3; and ***b) Resolution No. 2011-59***, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessment and Levying Annual Assessments Pursuant to the Landscaping and Lighting Act of 1972 for Fiscal Year 2011-2012 - Canyon Creek Parks and Open Spaces Maintenance Assessment District Nos. 1, 2 and 3

Public Hearing: No comments came forward.

Action: Councilmember Reed made a motion to approve Resolution No. 2011-58 and Resolution No. 2011-59. Councilmember Silva seconded the motion. Approved by vote; all ayes.

17. ***Public Hearing*** to Consider Approval of ***a) Resolution No. 2011-60***, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessments and Levying Annual Assessments Pursuant to the Benefit Assessment Act of 1982 for Fiscal Year 2011-2012 - Gonzales Industrial Park Benefit Assessment District, and ***b) Resolution No. 2011-61***, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessments and Levying Annual Assessments Pursuant to the Landscaping and Lighting Act of 1972 for Fiscal Year 2011-2012 - Gonzales Industrial Park Landscape Maintenance Assessment District

Public Hearing: No comments came forward.

Action: Councilmember Reed made a motion to approve Resolution No. 2011-60 and Resolution No. 2011-61. Councilmember Silva seconded the motion. Approved by vote; all ayes.

18. ***Public Hearing*** to Consider Approval of ***a) Resolution No. 2011-62***, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessments and Levying Annual Assessments Pursuant to the Benefit Assessment Act of 1982 for Fiscal Year 2011-2012 - Cipriani Estates Benefit Assessment District, and ***b) Resolution No. 2011-63***, A Resolution of the City Council of the City of Gonzales Confirming Diagram and Assessments and Levying Annual Assessments Pursuant to the Landscaping and Lighting Act of 1972 for

Fiscal Year 2011-2012 - Cipriani Estates Parks and Open Spaces Maintenance Assessment District

Public Hearing: No comments came forward.

Action: Councilmember Reed made a motion to approve Resolution No. 2011-62 and Resolution No. 2011-63. Councilmember Silva seconded the motion. Approved by vote; all ayes.

19. Consider Approval of **a) Resolution No. 2011-70**, A Resolution of the City Council of the City of Gonzales Establishing the 2011-2012 Level of Benefits for Management Employees; and **b) Resolution No. 2011-71**, A Resolution of the City Council of the City of Gonzales Establishing the 2011-2012 Level of Benefits for Miscellaneous Employees

City Manager Mendez presented the staff report.

Public Comment: There was none.

On behalf of the Council, Mayor Orozco thanked staff for meeting with the City Manager and making those concessions, which she said it was challenging, tough, and we were all feeling the effects.

Mayor Pro Tem Funk also thanked staff for their hard work and said this is one more sign of how good the City is in trying to work together as a group.

Action: Mayor Pro Tem Funk made a motion to approve Resolution No. 2011-70 and Resolution No. 2011-71. Councilmember Reed seconded the motion. Approved by vote; all ayes.

20. Consider Approval of Budget Amendments to Fiscal Year 2011-2012 Sewer Impact Fund #230, Water Impact Fund # 240 and Storm Drainage Impact Fund #245 to Complete the Gonzales General Plan for Services

City Manager Mendez presented the staff report.

Public Comment: There was none.

Action: Councilmember Reed made a motion to approve a Budget Amendment to Fiscal Year 2011-2012 Sewer Impact Fund #230 increasing expenditures in (object code 6245) from \$0 to \$7,490; Water Impact Fund #240 increasing expenditures in (object code 6245) from \$0 to \$7,490; and Storm Drainage Impact Fund #245 increasing expenditures in (object code 6245) from \$0 to \$30,067 to complete the General Plan for Services. Councilmember Silva seconded the motion. Approved by vote; all ayes.

21. Consider Approval of an Agreement for Legal Services with Jarvis Fay Doporto & Gibson, LLP for City Services

City Manager Mendez presented the staff report.

Public Comment: There was none.

Action: Mayor Pro Tem Funk made a motion to approve the agreement, and authorize the City Manager to sign the letter of engagement. Councilmember Silva seconded the motion. Approved by vote; all ayes.

City Attorney Rodriguez appreciated the opportunity to continue to serve the City. He said Gonzales was his first general counsel client back in 1992 and it held a special place in the heart. He welcomed the opportunity to continue to represent the City of Gonzales.

Mayor Orozco appreciated everything he had done for Gonzales.

BUSINESS FROM CITY COUNCIL

22. City Council Board/Committee Reports

- a. League of California Cities Monterey Bay Division – No report.
- b. Association of Monterey Bay Area Governments – Mayor Pro Tem Funk reported on the Interim Director who was working closely with AMBAG staff looking for a replacement.
- c. Transportation Agency for Monterey County – Mayor Orozco reported no meeting in July.
- d. Mayor Selection Committee – Mayor Orozco reported next meeting on August 5th and had a press conference regarding the State Budget and lawsuit.
- e. Salinas Valley Solid Waste Authority – Councilmember Silva reported no meeting until August 18th.
- f. Monterey Salinas Transit – Mayor Orozco reported on the proposed changes to some of the schedules, which would not impact South County.
- g. City & School Joint Steering Committee – No meeting.
- h. Citizens Advisory Committee – Community Development Director Truskowski announced a meeting on August 25th at 6pm at the Council Chambers.
- i. Community Center Committee – No meeting.
- j. Economic Development Committee – Community Development Director Truskowski reported on a request to move the next meetings date. He will get back to the committee with a new date.

23. Oral Communication

Councilmember Reed reminded parents of children in Grades 7 – 12 that they now need the TDap immunization. For information on free clinics, parents can contact School District. Students without this immunization will not be allowed in class.

Councilmember Silva reminded everyone about the 101st California Rodeo this week.

Mayor Pro Tem Funk said it was nice to see the parents, coaches and students being recognized today, and congratulated them for making it to the championship. He was glad to see the Adult Softball games going well. He added that the Pre-Rodeo event yesterday went pretty good.

Mayor Orozco thanked the team, parents and coaches, and believed it was a great opportunity for the Council to be able to acknowledge members of our community, especially our young adults and children. She thanked Special Projects Analyst Wolgamott for all his help with the Pre-Rodeo event yesterday, which was a success. She announced the St. Theodore's Reverse Draw Dinner on September 3rd with very authentic Mexican dishes, tickets \$60 for two, and people can contact her for tickets.

BUSINESS FROM CITY MANAGER

24. Oral Communication

City Manager Mendez informed staff had the first meeting with the Budget Committee and would be moving forward. He said the lawsuit was filed today by CRA and the League against the State. He believed the City of San Jose was one of the parties of the lawsuit, along another smaller city.

He reminded that the Council will be dark until August 22nd, which was part of the consent agenda tonight. He mentioned that the regular Council meetings of the first and third Monday of the month will occur on August 22nd as a Special meeting to discuss the next steps on the RDA. On another note, he informed that he will be out from tomorrow thru Saturday, but staff will be around and if there were any questions, to contact the appropriate Department, and work with Public Works Director Lopez for any general questions.

Department Head Updates

Community Development Director Truszkowski reported on the performance reports for two Grant Business Loan Programs, and closeout of the 08/09 Grant, and 09/10 Grant applications.

Public Safety Director Miller reported on an incident free event yesterday.

Building Official Lechman reported on permit activity picking up a little bit.

Recreation Coordinator Papineau reported on the Arts Council for Monterey County Program, Art Program Display at the Aquarium, Environmental Leadership Academy, Community Clean up results, early soccer registration, Adult Softball League, and Health and Safety Fair October 15th, which was a special day since Shane Terry, a friend from the east coast, will be there for his make a wish.

* ***BUSINESS FROM EXECUTIVE DIRECTOR***

25. Oral Communication

There was none.

CLOSED SESSION

26. The City Council will recess to closed session pursuant to Government Code Section 54956.9(a) to confer with its attorney regarding pending litigation which has been initiated

formally and to which the City is a party. The title of the litigation is Valdez v. City of Gonzales, et al.

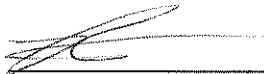
Council conferred with Attorney. No other reportable action taken.

ADJOURNMENT

Mayor Orozco made a motion to adjourn. Mayor Pro Tem Funk seconded the motion. Approved by vote; all ayes.

The City Council meeting was adjourned at 6:30pm.

ATTEST:



René L. Mendez, City Clerk